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7-3-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BRUCE BRYAN ET AL.

Serial No.: 09/808,898

Filed: March 15, 2001

Group Art Unit: 1642

RENILLA RENIFORMIS  
FLUORESCENT PROTEINS,  
NUCLEIC ACIDS ENCODING THE  
FLUORESCENT PROTEINS AND THE  
USE THEREOF IN DIAGNOSTICS

Attorney Docket No. LUME 48487

RESPONSE TO REQUEST FOR SUBSTITUTE PAPERS

April 22, 2002

VIA FACSIMILE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

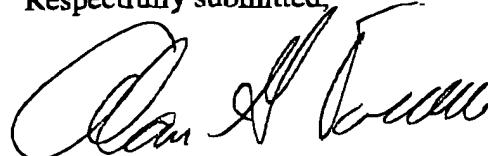
In response to the Request for Substitute Papers dated April 10, 2002, attached please find the following:

1. Copies of the Revocations, Powers of Attorney and 3.73(b) Statements as filed on November 14, 2001;
2. Copy of postcard date stamped by the PTO Mail Room showing receipt of documents;
3. Copy of Notice to Stephanie Seidman of Heller Ehrman notifying her that her power of attorney has been revoked;
4. Copy of Notice to Pietragallo, Bosick & Gordon that the power of attorney has been accepted; and
5. Executed copy of the Request stating that the enclosed papers are complete and accurate copies.

- 2 -

Please let me know if further information is necessary.

Respectfully submitted,



Alan G. Towner  
Registration No. 32,949  
Pietragallo, Bosick & Gordon  
One Oxford Centre, 38<sup>th</sup> Floor  
301 Grant Street  
Pittsburgh, PA 15219  
Attorney for Applicants

(412) 263-4340

523696v1

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128

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	09/808,898
	Filing Date	03/15/2001
	First Named Inventor	Bruce BRYAN
	Group Art Unit	
	Examiner Name	not yet rec'd.
Total Number of Pages in This Submission	7	Attorney Docket Number

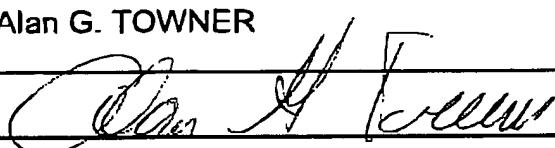
## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

## Remarks

There are two Revocations of Power of Attorney; two Powers of Attorney and two Statements under 37 CFR 3.73(b) as there are two assignees for this application.

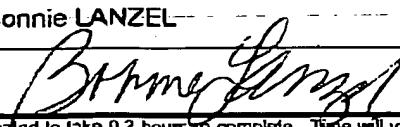
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Alan G. TOWNER
Signature	
Date	11/14/2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

11/14/2001

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The dating stamp of the Patent Office  
on this card will be taken as an indication  
that the accompanying paper was filed.

Applicant(s) Bruce BRYAN

Serial No. 09/808,898

Paper Dated NOV 14, 2001

Atty's File No. LUME 48487

AGT/bal

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MAR 18 2002

Transmittal Letter

Two Revocations of Power  
of Attorney

Two Powers of Attorney

Two Statements Under 37

CFR 3.73(b)



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001

APR 23 2002

GROUP 1600

**PIETRAGALLO, BOSICK & GORDON**

Attorneys at Law  
301 Grant Street  
One Oxford Centre, 38<sup>th</sup> Floor  
Pittsburgh, PA 15219-6404  
USA

COPY OF PAPERS  
ORIGINALLY FILED2-8-02 U.C.

Telephone Number: (412) 263-2000  
Direct Fax: (412) 261-0915  
Alternate Fax: (412) 261-5295

**FACSIMILE TRANSMISSION COVER PAGE**

DATE: April 22, 2002

RECIPIENT:

COMPANY: U.S. Patent and Trademark Office

RECIPIENT'S FAX NO.: (703) 308-4556

FROM: Alan G. Towner

FILE NUMBER: LUME 48487

NUMBER OF PAGES  
(including cover page): **15**

MESSAGE:

RE: U.S. Patent Application Serial No. 09/808,898

SENT BY: J. Winton TELEPHONE NUMBER: (412) 263-2000 ext. 1413

CONFIRMATION COPY:

VIA U.S. MAIL       VIA INTERNATIONAL FEDERAL EXPRESS  
 VIA AIR MAIL       NONE

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APR 23 2002

GROUP 1600

PTO/SB/97 (08-00)

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Alan G. Towner

Typed or printed name of person signing Certificate

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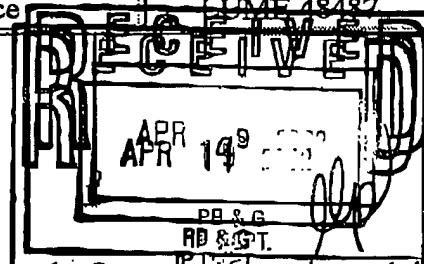
UNITED STATES DEPARTMENT OF COMMERCE  
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 Washington, D.C. 20581  
[www.uspto.gov](http://www.uspto.gov)

LUME-118  
 LUME-48487

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/808,898	03/15/2001	Bryan, Bruce	11848487

29694

PIETRAGALLO, BOSICK & GORDON  
 ONE OXFORD CENTRE, 38TH FLOOR  
 301 GRANT STREET  
 PITTSBURGH PA 15219-6404



Title: ~~Renilla reniformis fluorescent proteins, nucleic acids encoding the fluorescent proteins and the use thereof in diagnostics, high throughput screening and novelty items~~

Date Mailed: 04/10/2002

## Request for Substitute Papers



The papers filed on 02/08/02 (certificate of mailing dated 11/14/01) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-308-4556(TC1600)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO strongly prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate TC1600, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within two (2) weeks of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Alan G. Towner Registration No.: 32,949

Signature: Alan G. Towner Date: April 22, 2002



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/808,898	03/15/2001	Bruce Bryan	24729-128

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Stephanie Seldman  
Heller Ehram White & McAuliffe LLP  
7th Floor  
4250 Executive Square  
La Jolla, CA 92037

**CONFIRMATION NO. 4894**



'OC000000007076973'

NOV 19 2001

PB & G  
IP DEPT.

Date Mailed: 11/15/2001

**NOTICE REGARDING POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 09/17/2001.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Pietragallo, Bosick + Gordon  
 ONE OXFORD, Centre, 38th FL  
 301 Grant Street  
 Pittsburgh, PA

  
 IRVIN DINGLE  
 OP 7033065684

NEW ATTORNEY/AGENT COPY